

FISCAL NOTE

SB 360 - HB 535

February 11, 2003

SUMMARY OF BILL: Increases the minimum mandatory imprisonment period for driving under the influence from 48 hours to 72 hours for a first offense, from 45 days to 120 days for a second offense, from 120 days to 11 months and 29 days for a third offense, and from 150 to 300 days for a fourth or subsequent offense. Requires violators on the fourth or subsequent offense to complete a period of community service work to be determined by the court.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - Exceeds \$3,000,000

Increase Local Govt. Expenditures* - Exceeds \$20,000,000

Estimate assumes:

- 12,600 first offense DUI convictions each serving one additional day.
- 3,600 second offense DUI convictions each serving 75 additional days.
- 1,600 third offense DUI convictions each serving 244 additional days.
- average daily cost of housing an inmate in a county facility of \$45.
- 550 fourth or subsequent DUI convictions each serving an additional 150 days. These offenses are Class E felonies and the additional incarceration time represents a cost to the state. The average daily cost of housing an inmate in a state facility is \$45.37.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

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A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James A. Davenport, Executive Director